

## **ANNUAL TOWN MEETING**

**FISCAL YEAR  
JULY 1, 2012 to JUNE 30, 2013**

### **COMMONWEALTH OF MASSACHUSETTS**

Berkshire, ss:

To either of the Constables of the Town of Williamstown, in the County of Berkshire.

#### **GREETING:**

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the Inhabitants of the Town of Williamstown qualified to vote in elections and Town affairs to meet at Williamstown Elementary School, 115 Church Street in said Williamstown

TUESDAY, THE EIGHTH OF MAY 2012 at SEVEN O'CLOCK A.M. for the following purpose:

To bring their votes to the election of officers for the election of all Town Officers

The polls will be opened at 7:00 o'clock A.M. and will close at 8:00 o'clock P.M.

And furthermore to meet at Williamstown Elementary School, 115 Church Street, on TUESDAY, THE FIFTEENTH DAY OF MAY 2012 AT SEVEN O'CLOCK P.M. for the following purpose:

To act on all Articles of this warrant, except Article 1, which has been acted upon at the above meeting for the election of officers.

*Proceeding: Moderator Mark Gold opened the 2012 Annual Town Meeting at 7:00 PM in the gymnasium of the Williamstown Elementary School, 115 Church Street. Four hundred and nineteen (419) registered voters checked into the meeting.*

*Thomas Sheldon represented the Board of Selectmen as Chair, and Charles Fox represented the Finance Committee as Chair.*

*Chairman Sheldon read the names of the Committee and Board members who have terms expiring in June and thanked them for their service to the Town.*

*The Moderator announced the recipients of the following awards:*

*Community Chest Volunteer Award – Jill Strawbridge*

*League of Women Voters Town Employee Award – The Department of Inspection Services (accepted by Michael Card)*

*Faith Scarborough Award – Liz Costley*

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### **ELECTION OF TOWN OFFICERS**

**Article 1.** To choose one Selectmen for a three year term; two Elementary School Committee (K-6) members for three year terms; one Library Trustee for a three year term; one Planning Board member for a five year term; one Housing Authority member for a five year term; one Housing Authority member for a two year term; and one Northern Berkshire Vocational Regional School Committee member for a three year term.

*The election occurs on May 8, after this document goes to press. Election results are posted on the town web site [www.williamstown.net](http://www.williamstown.net).*

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## REPORTS OF TOWN COMMITTEES

**Article 2.** To see if the Town will vote to accept the reports of the Board of Selectmen, the Town Manager, and all other officers and committees, and act thereon.

*Proceeding: The Chairman of the Board of Selectmen moved, and it was seconded, the Town vote to adopt Article 2.*

*There being no discussion, the Moderator declared Article 2 carried by unanimous voice vote.*

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## TO APPLY UNRESERVED FUND BALANCE TO REDUCE THE TAX RATE

**Article 3.** To see if the Town will vote to transfer the sum of **\$334,562** from the General Fund Unreserved Fund Balance to reduce the tax rate, or take any other action in relation thereto.

**The Finance Committee unanimously recommends the Town vote to transfer the sum of \$334,562 from the General Fund Unreserved Fund Balance.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*The Town customarily applies excess receipts and unused appropriations from the previous fiscal year (Unreserved Fund Balance) to lower the tax rate.*

*Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to transfer the sum of \$334,562 from the General Fund Unreserved Fund Balance to be used to reduce the tax rate.*

*There being no discussion, the Moderator declared Article 3 carried by unanimous voice vote.*

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## APPROPRIATION FOR DEBT SERVICE

**Article 4.** To see if the Town will vote to raise and appropriate or appropriate from available funds in the treasury, the sum of **\$468,722** or any other sum, to pay interest and maturing debt, or take any other action in relation thereto.

<u>Purpose</u>	<u>Year Borrowed</u>	<u>Years Remaining</u>	<u>Initial Principal</u>	<u>FY2013 Principal and Interest</u>
DPW Garage	1997	5	\$1,800,000	\$107,319
Landfill Closure	1997	4	215,000	16,369
Sherman Chapel Repair	2001	7	132,800	10,039
Landfill Closure	2005	8	150,000	13,275
Elementary School	2005	13	\$4,200,000	\$321,720
				<hr/> \$468,722

**The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$458,683 from taxation and that \$10,039 be appropriated from the Sherman Burbank Memorial Fund.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*Each of the above items is a bond issue the Town has committed to repay over the number of years remaining as indicated.*

*Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to raise and appropriate the sum of \$458,683 from taxation, and that \$10,039 be appropriated from the Sherman Burbank Memorial Fund to any interest and maturing debt.*

*There being no discussion the Moderator declared Article 4 carried by unanimous voice vote.*

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## GENERAL GOVERNMENT

**Article 5.** To see if the Town will vote to raise and appropriate or appropriate from available funds in the treasury, the sum of **\$6,570,461** or any other sum, to pay interest and maturing debt, and for charges, expenses and outlays of the several Town Departments, namely:

<u>Department</u>	<u>Fiscal Year</u> <u>2012</u>	<u>Fiscal Year</u> <u>2013</u>
Executive	\$248,549	\$253,040
Administration and Finance	1,763,728	1,801,689
Inspection Services	401,950	407,970
Public Safety	1,278,256	1,291,114
Public Works	1,984,582	1,990,906
Human Services	\$764,509	\$825,742
Total	\$6,441,574	\$6,570,461

**The Finance Committee unanimously recommends the Town vote to raise and appropriate \$6,361,871 from taxation; that \$117,081 be appropriated from Estimated Water Receipts; that \$82,219 be appropriated from Estimated Sewer Receipts; that \$3,000 be appropriated from Cemetery Perpetual Care Trust Fund; and that \$6,290 be appropriated from the Sherman Burbank Memorial Trust.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*The General Government appropriation is a 2.0% increase over the current year.*

*Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to raise and appropriate \$6,361,871 from taxation; that \$117,081 be appropriated from Estimated Water Receipts; that \$82,219 be appropriated from Estimated Sewer Receipts; that \$3,000 be appropriated from Cemetery Perpetual Care Trust Fund; and that \$6,290 be appropriated from the Sherman Burbank Memorial Trust.*

*Following a short discussion, the Moderator declared Article 5 carried by unanimous voice vote.*

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## LOCAL PUBLIC SCHOOLS (GRADES K-6)

**Article 6.** To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of **\$5,366,774** or any other sum to pay charges, expenses and outlays of the School Department for the ensuing year or take any other action in relation thereto.

**The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$5,366,774 from taxation.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*The elementary school appropriation is a 2.0% increase over the current year. The total elementary school budget is \$6,085,663 including \$718,889 of other non-appropriated*

*funds, a 0.7% total increase from FY12. Enrollment is projected to be 388 students, one more than FY12.*

***Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to raise and appropriate the sum of \$5,366,774 from taxation to pay charges, expenses and outlays of the School Department.***

***There being no discussion, the Moderator declared article 6 carried by unanimous voice vote.***

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## NORTHERN BERKSHIRE VOCATIONAL REGIONAL SCHOOL DISTRICT

**Article 7.** To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of **\$300,298** or any other sum, being Williamstown's share of the Northern Berkshire Vocational Regional School District 2012-2013 fiscal budget, or take any other action in relation thereto.

**The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$300,298 from taxation.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

Note: This is an Omnibus Budget, i.e. Town Meeting may vote only the total amount.

	<u>FY2012</u>	<u>FY2013</u>
Minimum Contribution	\$314,730	\$251,018
Transportation Assessment	11,639	10,725
Capital Assessment	<u>\$40,097</u>	<u>\$38,555</u>
Total	\$366,466	\$300,298

*The Williamstown assessment is an 18% decrease from FY12. Williamstown enrollment is down from 23 students to 18 students out of a total enrollment of 504 students.*

***Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to raise and appropriate the sum of \$300,298 from taxation to pay Williamstown's share of the Northern Berkshire Vocational Regional School District 2012-2013 budget.***

***There being no discussion, the Moderator declared Article 7 carried by unanimous voice vote.***

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## MOUNT GREYLOCK REGIONAL SCHOOL DISTRICT

**Article 8.** To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of **\$4,610,042** or any other sum, being Williamstown's share of the Mount Greylock Regional School District 2012-2013 fiscal budget, or take any other action in relation thereto.

**The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$4,610,042 from taxation.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

Note: This is an Omnibus Budget, i.e. Town Meeting may vote only the total amount.

	<u>FY12</u>	<u>FY13</u>
Minimum Contribution	\$2,708,335	\$2,685,897
Transportation Assessment	208,582	119,581
Capital Assessment	155,367	154,133
Additional Foundation	<u>\$1,528,237</u>	<u>\$1,650,430</u>
Total Assessment	\$4,600,521	\$4,610,041

*The FY13 assessment is \$9,520 more than FY12. The total MGRSD assessment to both towns is \$7,129,306 including the Lanesborough assessment of \$2,519,265.*

*Apportionment is based on a rolling average of 329 Williamstown and 217 Lanesborough students. The total budget including all other revenue is \$10,265,561. Total estimated current enrollment is 565.*

***Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to raise and appropriate the sum of \$4,610,042 from taxation, being Williamstown's share of the Mount Greylock Regional School District 2012-2013 fiscal budget.***

***There being no discussion, the Moderator declared Article 8 carried by unanimous voice vote.***

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**TO AMEND THE NORTHERN BERKSHIRE VOCATIONAL REGIONAL  
SCHOOL DISTRICT AGREEMENT**

**Article 9.** To see if the Town will vote to amend the 1958 Northern Berkshire Vocational Regional School District Agreement as proposed by the District School Committee, a copy of which has been filed with the Board of Selectmen and is on file in the office of the Town Clerk, or take any other action in relation thereto.

**The Finance Committee will make its recommendation at town meeting.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

***Proceeding: The Chairman of the Board of Selectmen moved, and it was seconded, the Town vote to amend the Northern Berkshire Vocational Regional School District Agreement.***

***There being no discussion, the Moderator declared Article 9 carried by unanimous voice vote.***

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**CAPITAL IMPROVEMENT PROGRAM**

**Article 10.** To see if the Town will vote to raise and appropriate, or appropriate from available funds, the sum of **\$837,541** or any other sum, for the following capital expenditures:

<u>Item</u>	<u>Department</u>	<u>Amount</u>
North Hoosac Road	Highway	\$133,246
Replace 2001 International dump truck	Highway	145,000
Replace 1997 Volvo loader	Highway	155,000
Replace 2003 Chevrolet 4x4 dump truck	Highway	71,000
Syndicate Road sewer	Sewer	60,000
Water meter replacement	Sewer	40,000
Water meter replacement	Water	40,000
Replace 2005 Dodge 4x4 utility body	Water	50,000
Police station design and engineering	Police	143,295
		<hr/> \$837,541

**The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$504,246 from taxation, that \$143,295 be allocated from Unreserved Fund Balance, that \$90,000 be raised and appropriated from Estimated Water Receipts, and that \$97,274 be raised and appropriated from Estimated Sewer Receipts and that \$2,726 be appropriated from Sewer Fund Unreserved Fund Balance.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*Highway and Police Department items are funded by the property tax. Sewer and Water Department items are funded by user fees.*

*Proceeding: The Chairman of the Finance Committee moved, Town vote to raise and appropriate the sum of \$504,246 from taxation, that \$143,295 be allocated from Unreserved Fund Balance, that \$90,000 be raised and appropriated from Estimated Water Receipts, and that \$97,274 be raised and appropriated from Estimated Sewer Receipts and that \$2,726 be appropriated from Sewer Fund Unreserved Fund Balance.*

*There being no discussion, the Moderator declared Article 10 carried by majority voice vote.*

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#### **FINANCE COMMITTEE RESERVE FUND**

**Article 11.** To see if the Town will vote to raise and appropriate the sum of **\$75,000** for the Finance Committee Reserve Fund, or take any other action in relation thereto.

**The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$75,000 for the Finance Committee Reserve Fund.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*The Reserve Fund is established under G.L. c. 40 § 6 to provide for extraordinary or unforeseen expenditures authorized by the Finance Committee.*

*Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to raise and appropriate the sum of \$75,000 for the Finance Committee Reserve Fund.*

*There being no discussion, the Moderator declared Article 11 carried by unanimous voice vote.*

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#### **STABILIZATION FUND**

**Article 12** To see if the Town will vote to raise and appropriate the sum of **\$100,000** for the Stabilization Fund, or take any other action in relation thereto.

*This article requires a 2/3 vote.*

**The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$100,000 for the Stabilization Fund.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*This appropriation restores the balance of the \$150,000 taken from Stabilization in FY10. The Stabilization Fund is critical to maintaining the Town's Aa<sup>2</sup> bond rating by Moody's Investor Services in anticipation of borrowing for Mount Greylock Regional School District and a new police station.*

*Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to raise and appropriate the sum of \$100,000 for the Stabilization Fund.*

*There being no discussion, the Moderator declared Article 12 carried by unanimous voice vote.*

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#### **WILLIAMSTOWN CHAMBER OF COMMERCE**

**Article 13.** To see if the Town will vote pursuant to G.L. c. 40 § 6A to raise and appropriate the sum of **\$38,641** for the Williamstown Chamber of Commerce to advertise

the Town's resources, advantages, and attractions, or take any other action in relation thereto.

**The Finance Committee unanimously recommends that the Town vote to raise and appropriate the sum of \$38,641 for the Williamstown Chamber of Commerce.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*This is an increase of 15.4% from last year's \$33,492. The appropriation for the Chamber of Commerce to promote tourism is 10% of the Room Occupancy Excise Tax collected during the previous calendar year.*

*Proceeding: The Chairman of the Finance Committee moved, and it was seconded, t the Town vote to raise and appropriate the sum of \$38,641 for the Williamstown Chamber of Commerce to promote tourism.*

*There being no discussion, the Moderator declared Article 13 carried by unanimous voice vote.*

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### **WILLIAMSTOWN YOUTH CENTER**

**Article 14.** To see if the Town will vote to raise and appropriate the sum of **\$66,961** for the Williamstown Youth Center to provide youth recreation services, or take any other action in relation thereto.

**The Finance Committee unanimously recommends the Town vote to raise and appropriate the sum of \$66,961 to support the Williamstown Youth Center.**

**The Board of Selectmen recommends the adoption of this article by a vote of 4-0-1.**

*The Youth Center appropriation is a 2.0% increase over the current year.*

*Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to raise and appropriate the sum of \$66,961 to support the Williamstown Youth Center to provide youth recreation services.*

*There being no discussion, the Moderator declared Article 14 carried by unanimous voice vote.*

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### **PUBLIC LIBRARY REVOLVING FUND**

**Article 15.** To see if the Town will vote pursuant to G.L. c. 44 § 53E½, to authorize the use of a revolving fund for the purpose of purchasing library supplies, services, and equipment, which fund shall be credited with receipts from all fees and fines collected under the authority and direction of the Library Trustees, such expenditures not to exceed Twenty-Five Thousand (\$25,000) Dollars, or take any other action in relation thereto.

**The Finance Committee unanimously recommends the adoption of this article.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*The Library Revolving Fund allows the Board of Library Trustees to collect fines, copy machine fees, room rental fees, and other miscellaneous income and to spend those funds on library expenses at the discretion of the Trustees without further appropriation.*

*Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to adopt Article 15.*

*There being no discussion, the Moderator declared Article 15 carried by unanimous voice vote.*

## SEWER DEPARTMENT

**Article 16.** To see if the Town will vote to appropriate from Estimated Sewer Receipts the sum of **\$1,242,099** or any other sum, to pay interest and maturing debt, and for charges, expenses and outlays of the Sewer Department, or take any other action in relation thereto.

**The Finance Committee unanimously recommends the Town vote to appropriate the sum of \$1,192,099 from Estimated Sewer Receipts and the sum of \$50,000 from Sewer Fund Unreserved Fund Balance.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*The Sewer Department is an Enterprise Fund. All expenses related to the operation of the department are paid by user fees rather than taxation. The sewer rate will increase \$.90 per 100 cubic feet (HWQD \$.77, decreased usage \$.13, Town \$0).*

**(Note: Due to a revised Hoosac Water Quality District budget that was received after the printing of the warrant, the amount in the motion differs from the article.)**

*Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to appropriate the sum of \$1,097,574 from Estimated Sewer Receipts and the sum of \$50,000 from Sewer Fund Unreserved Fund Balance to pay interest and maturing debt, and for charges, expenses and outlays of the Sewer Department.*

*There being no discussion, the Moderator declared Article 16, carried by unanimous voice vote.*

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## WATER DEPARTMENT

**Article 17.** To see if the Town will vote to appropriate from Estimated Water Receipts the sum of **\$889,963** or any other sum, to pay interest and maturing debt, and for charges, expenses and outlays of the Water Department, or take any other action in relation thereto.

**The Finance Committee unanimously recommends the Town vote to appropriate the sum of 839,963 from Estimated Water Receipts and the sum of \$50,000 from Water Fund Unreserved Fund Balance.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*The Water Department is an Enterprise Fund. All expenses related to the operation of the department are paid by user fees rather than taxation. The water rate will increase \$.05 due to decreased usage.*

*Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to appropriate the sum of 839,963 from Estimated Water Receipts and the sum of \$50,000 from Water Fund Unreserved Fund Balance to pay interest and maturing debt, and for charges, expenses and outlays of the Water Department.*

*There being no discussion, the Moderator declared Article 17, carried by majority voice vote.*

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## WATER RATE

**Article 18.** To see if the Town will, in accordance with § 7, Chapter 606 of the Acts and Resolves of 1941, vote to approve a municipal water rate of **\$3.79** per 100 cubic feet of water as fixed by the Board of Selectmen at their meeting of April 9 to be effective July 1, 2012, or take any other action in relation thereto.



**The Finance Committee by a vote of 8-1 recommends the Town vote to approve a municipal water rate of \$3.79 per 100 cubic feet.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*The water rate will increase \$.05 due to decreased usage.*

*Proceeding: The Chairman of the Finance Committee moved and it was seconded, the Town vote to approve a municipal water rate of \$3.79 per 100 cubic feet.*

*There being no discussion, the Moderator declared Article 18 carried by unanimous voice vote.*

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## **TRANSFER STATION DEPARTMENT**

**Article 19.** To see if the Town will vote to appropriate from Estimated Transfer Station Receipts or other available funds the sum of **\$187,142** or any other sum, to pay interest and maturing debt, and for charges, expenses and outlays of the Transfer Station Department, or take any other action in relation thereto.

**The Finance Committee unanimously recommends the Town vote to appropriate the sum of \$157,142 from Estimated Transfer Station Receipts and \$30,000 from Transfer Station Unreserved Fund Balance.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*The Transfer Station Department is an Enterprise Fund. All expenses related to the operation of the department are paid by user fees rather than taxation. The FY12 budget includes no increase in the sticker fee (\$75) or the price of bags (\$2.50 and \$1.25). The last increase in stickers and bags was July 1, 2006.*

*Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to appropriate the sum of \$157,142 from Estimated Transfer Station Receipts and \$30,000 from Transfer Station Unreserved Fund Balance to pay interest and maturing debt, and for charges, expenses and outlays of the Transfer Station Department.*

*There being no discussion, the Moderator declared Article 19 carried by unanimous voice vote.*

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## **CHAPTER 90 HIGHWAY FUNDS**

**Article 20.** To see if the Town will vote to raise and appropriate from Chapter 90 funds that are, or may become, available to the Town during the fiscal year for Capital Projects, and to authorize the Treasurer to borrow such amounts in anticipation of reimbursement by the Commonwealth, or take any other action in relation thereto.

**The Finance Committee unanimously recommends the adoption of this article.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*Chapter 90 funds are distributed by the State for approved highway projects. The Town is required to spend the money before being reimbursed by the state. Since the Town cannot spend money it does not have, this article authorizes the Treasurer to borrow money in anticipation of receiving the Chapter 90 reimbursement from the Commonwealth.*

*Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to adopt Article 20.*

*There being no discussion, the Moderator declared Article 20 carried by unanimous voice vote.*

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**ACCEPTANCE OF G.L. CHAPTER 60A SECTION 1 AS AMENDED BY  
SECTION 16 OF CHAPTER 182 OF THE ACTS OF 2008**

**Article 21.** To see if the Town will vote to accept G.L. c. 60A s. 1 [as amended by section 16 of Chapter 182 of the Acts of 2008], or take any other action in relation thereto.

G. L. c 60A, s. 1: In any city or town accepting the provisions of this paragraph, the excise imposed by this chapter shall not apply to a motor vehicle owned and registered by a resident who is in active and full-time military service as a member in the armed forces of the United States or the national guard, army or air, of any state, and has been deployed or stationed outside the territorial boundaries of the continental United States for a period of at least 45 days in the calendar year of the exemption. If the military member is wounded or killed in an armed conflict, he shall not be subject to the foregoing period of service qualification for the calendar year in which he is wounded or killed. This exemption shall apply only to a motor vehicle owned and registered by a military member in his own name or jointly with a spouse for a non-commercial purpose and a military member may qualify for this exemption for only 1 motor vehicle for each calendar year. A municipality which accepts the provisions of this paragraph shall, in connection with the issuance of warrant to collect unpaid motor vehicle or trailer excise tax from a delinquent taxpayer, add \$3 to the fee prescribed in clause 9 of section 15 of chapter 60. The acceptance by a municipality of this paragraph shall take effect on the first day of January next occurring after the approval by the municipality to accept this paragraph.

**The Finance Committee unanimously recommends the adoption of this article.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*Proceeding: The Chairman of the Finance Committee moved, and it was seconded, the Town vote to adopt Article 21*

*There being no discussion, the Moderator declared Article 21 carried by unanimous voice vote.*

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**AFFORDABLE HOUSING TRUST FUND**

**Article 22.** To see if the Town will vote to accept the provisions of General Laws Chapter 44, Section 55C, establishing a trust to be known as the Williamstown Affordable Housing Trust Fund, whose purpose shall be to provide for the creation and preservation of affordable housing in the Town for the benefit of low and moderate income households, and in implementation thereof will vote to amend the Code of the Town of Williamstown by adding the following as Chapter 6, or take any action relative thereon:

**Chapter 6**

**AFFORDABLE HOUSING TRUST FUND**

**§ 6-1 Purpose**

The purpose of the Williamstown Affordable Housing Trust shall be to provide for the creation and preservation of affordable housing in the Town of Williamstown for the benefit of low and moderate income households.

**§ 6-2 Composition and Tenure of Trustees**

**A. Establishment**

There shall be a Board of Trustees consisting of five who shall be appointed by the Board of Selectmen.

**B. Composition**

One of the Trustees shall be a member of the Board of Selectmen, one a member of the Williamstown Affordable Housing Committee, and three residents who would bring to the Trust relevant experience and expertise, such as in real estate, housing, banking, or the like. Nothing in this subsection shall prevent the Board of Selectmen from appointing the town manager as an ex-officio sixth member, without the power to vote.

#### C. Terms

Trustees shall be appointed, or reappointed, by the Board of Selectmen, and shall serve for a term of two years, with the exception that two initial appointments shall be made for one year only so as to allow staggered terms.

#### D. Residency

Only persons who are residents of the Town of Williamstown shall be eligible to hold the office of Trustee. Any Trustee who ceases to be a resident of the Town of Williamstown shall cease to be a Trustee hereunder and shall promptly provide a written notification of the change in residence to the Board and to the Town Clerk. Vacancies shall be filled by the Board of Selectmen for the remainder of the unexpired term.

#### E. Continuity and Removal

Upon the appointment of any succeeding Trustee, title to the Trust estate shall thereupon be vested in such succeeding Trustee jointly with the remaining Trustees, without the necessity of any conveyance. Trustees serve at the will of the Board of Selectmen, and any Trustee may be removed by that body for cause or no cause.

### § 6-3 Powers of the Trust

#### A. Powers

The powers of the board, all of which shall be carried on in furtherance of the purposes set forth in this act, shall include the following powers, subject to the limitations set forth in 6-3 B:

1. to solicit and accept grants, gifts, devices, and bequests, or otherwise acquire real or personal property;
2. to invest any of the Trust property in such manner as they may deem advisable without being limited as to the kind or amount of any investment;
3. to sell and exchange any real personal property or any interest therein for such consideration and upon such terms and conditions as they deem advisable;
4. to join with others in the acquisition of real property or any interest therein;
5. to borrow money and mortgage or pledge any part of the Trust estate assets and issue notes or other indebtedness;
6. to join with others in borrowings, mortgages and pledges, and to guarantee and become surety on obligations of others in transactions in which the Trust has an interest;
7. to execute, as lessor or lessee, leases, including for terms expiring after the possible expiration of the Trust;
8. to restore, construct, repair and maintain buildings and to make other improvements and establish such reserves as they deem necessary therefor;
9. to pay, compromise or adjust all obligations incurred and rights

acquired in the administration of the Trust;

10. to obtain advice of counsel and to rely thereon;

11. to employ such other persons, agents, staff, brokers, managers, accountants or advisors as they may deem advisable and to pay reasonable compensation and expenses, apportioning same between income and principal as the board deems advisable, and;

12. to execute, acknowledge, and deliver all such contracts, deeds, mortgages, leases, discharges, and partial releases of mortgages or other instruments as they may deem advisable in the course of the administration of the Trust.

#### B. Limitations

These powers shall be subject to the following limitations:

1. any purchase, sale, lease, exchange, transfer or conveyance of any interest in real property must be approved by four of the five voting members.

2. the Trustees may incur debt, borrow money, grant mortgages and pledge Trust assets only in an amount not to exceed 80% of the total value of the Trust's assets.

3. any debt incurred by the Board shall not constitute a pledge of the full faith and credit of the Town of Williamstown and all documents related to any debt shall contain a statement that the holder of any such debt shall have no recourse against the Town of Williamstown with an acknowledgement of said statement by the holder.

#### C. Full powers of 44/55C

The Trustees shall have these and all powers set forth in Massachusetts G.L. Chapter 44, Section 55C, and shall refrain from exercising any powers in such manner as to violate the provisions of said statute.

#### D. Single appropriation

In accordance with G.L. Chapter 44 Section 55C(16)(d), all monies paid to the Trust shall be paid directly into the Trust and need not be appropriated or accepted and approved into the Trust. General revenues appropriated into the Trust become Trust property, and to be expended, these funds need not be further appropriated. All monies remaining in the Trust at the end of any fiscal year, whether or not expended by the Trustees within one year of the date that they were appropriated into the Trust, remain Trust property.

#### § 6-4 Meetings of Trustees

The Trust shall meet at least quarterly at such time and such place as the Trustees shall determine. Notice of all meetings of the Trust shall be given in accordance with the provisions of the Open Meeting Law, G.L. Chapter 39, sections 23A, 23B, and 23C. A quorum at any meeting shall be four of the five voting members.

#### § 6-5 Acts of Trustees

A majority (three or more) may exercise any and all of the powers of the Trustees hereunder and may execute on behalf of the Trustees any and all instruments with the same effect as though executed by all of the Trustees, subject to the limitations set forth in 6-3 B (1). No Trustee shall be required to give bond. No license of court shall be required to confirm the validity of any transaction entered into by the Trustees with respect to the Trust property.

#### § 6-6 Liability

The Trust is a public employer and the members of the board are public employees for

purposes of G.L. Chapter 268A. The Trust shall be deemed a municipal agency and the Trustees special municipal employees, for purposes of Chapter 268A.

#### § 6-7 Taxes

The Trust is exempt from G.L. Chapters 59 and 62, and from any other provisions concerning payment of taxes based upon or measured by property or income imposed by the Commonwealth or any political subdivision thereof.

#### § 6-8 Custodian of Funds/Audits

The Town Treasurer shall be the custodian of the funds of the Trust. The books and records of the trust shall be audited annually by an independent auditor in accordance with accepted accounting practices for municipalities. Upon receipt of a copy by the Board, a copy shall be provided forthwith to the Board of Selectmen.

#### § 6-9 Governmental Body

The trust is a governmental body for purposes of Sections 23A, 23B and 23C of G.L. Chapter 39.

#### § 6-10 Board of the Town

The Trust is a board of the town for purposes of G.L. Chapter 30B and Section 15A of Chapter 40; but agreements and conveyances between the Trust and agencies, boards, commissions, authorities, departments and public instrumentalities of the town shall be exempt from said Chapter 30B.

#### § 6-11 Compensation of Trustees

Trustees shall not receive a salary, stipend, bonus, or other means of compensation for their service as a Trustee, nor shall they be eligible for any benefits from the Town of Williamstown. Trustees may be compensated for reasonable out-of-pocket expenses for travel and other trust-related expenses. All such out-of-pocket expenses shall be fully documented with receipts for expenses prior to payment by the Trust.

#### § 6-12 Conflicts of Interest

The Trust shall be considered a public employer and the Trustees shall be subject to the conflict of interest provisions of G.L. Chapter 268A.

#### § 6-13 Amendment

This Trust may be amended from time to time by approval by four of the five voting members of the Trustees and approval by the Board of Selectmen, provided, however, that no such amendment shall violate the purposes of this Trust, nor of G.L. Chapter 44, Section 55C.

#### § 6-14 Declaration of Trust

The Trustees are hereby authorized to execute a Declaration of Trust and Certificate of Trust for the Williamstown Affordable Housing Trust to be recorded with the Berkshire North District Registry of Deeds and filed with the Berkshire North Registry District of the Land Court.

#### § 6-15 Duration of the Trust

The Trust shall be of indefinite duration, until terminated by a vote of the Williamstown Town Meeting. Upon termination of the Trust, subject to the payment of or making provisions for the payment of all obligations and liabilities of the Trust and the Trustees, the net assets of the Trust shall be transferred to the Town and held for affordable housing purposes. In making any such distribution, the Trustees may, subject to the approval of the Board of Selectmen, sell all or any portion of the Trust property and distribute the net proceeds thereof or they may distribute any of the assets in kind. The powers of the Trustees shall continue until the affairs of the Trust are concluded.

**The Finance Committee recommends the adoption of this article by a vote of 8-0-1.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*Proceedings: Cathy Yamamoto, Chairman of the Affordable Housing Committee moved, and it was seconded, the Town vote to adopt Article 22. Ms. Yamamoto then presented an overview of the proposed Trust.*

*Joan Burns spoke against the article stating there is nothing the Trust will be able to do that the Town cannot already do.*

*Matt Holland voiced opposition to the article, addressing the Town's restrictive zoning and the need for an action plan by the Affordable Housing Committee.*

*Other members of the community spoke in favor of the Trust.*

*Mark Reinhardt, Chairman of the Williamstown Housing Authority stated that Trust is a structure that hold funds for affordable housing, and doesn't commit the Town to any specific position on how to meet the towns affordable housings needs.*

*The Moderator declared the article carried by majority voice vote.*

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## **COMMUNITY PRESERVATION – COMMUNITY HOUSING**

**Article 23.** To see if the Town will vote to appropriate from the Community Preservation Fund estimated FY13 annual revenues, for community housing purposes under the Community Preservation Act, the sum of Two Hundred Thousand Dollars (**\$200,000**) to be deposited in the Affordable Housing Trust Fund established by Article 22 of the 2012 Annual Town meeting, or take any other action in relation thereto.

**The Community Preservation Committee by a vote of 7-0-1 recommends the adoption of this article.**

**The Finance Committee unanimously recommends the adoption of this article.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*Proceeding: The Chairman of the Community Preservation Committee moved, and it was seconded, the Town vote to appropriate from the Community Preservation Fund estimated FY13 annual revenues, for community housing purposes under the Community Preservation Act, the sum of Two Hundred Thousand Dollars (\$200,000) to be deposited in the Affordable Housing Trust fund established by Article 22 of the 2012 Annual Town meeting.*

*There being no discussion, the Moderator declared Article 23 carried by majority voice vote.*

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## **CPA – COMMITTEE EXPENSES and OPEN SPACE**

**Article 24.** To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2013 Community Preservation budget, and to appropriate from the Community Preservation Fund estimated FY13 annual revenues the sum of Ten Thousand Dollars (**\$10,000**) to meet the administrative expenses of the Community Preservation Committee for Fiscal Year 2013, and further to reserve for future appropriation the sum of Twenty Nine Thousand Dollars (**\$29,000**) for open space purposes, or take any other action in relation thereto.

**The Community Preservation Committee unanimously recommends the adoption of this article.**

**The Finance Committee unanimously recommends the adoption of this article.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*Proceeding: The Chairman of the Community Preservation Committee moved, and it was seconded, the Community Preservation Committee recommends the Town vote to hear and act on the report of the Community Preservation Committee on the Fiscal Year 2013 Community Preservation budget, and to appropriate from the Community Preservation Fund estimated FY13 annual revenues the sum of Ten Thousand Dollars (\$10,000) to meet the administrative expenses of the Community Preservation Committee for Fiscal Year 2013, and further to reserve for future appropriation the sum of Twenty Nine Thousand Dollars (\$29,000) for open space purposes.*

*Philip McKnight, the Chairman of the Community Preservation Committee gave an overview of how the CPA was established and how it functions.*

*There being no discussion, the Moderator declared Article 24 carried by unanimous voice vote.*

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## COMMUNITY PRESERVATION – HISTORIC PRESERVATION

**Article 25.** To see if the Town will vote to appropriate from the Community Preservation Fund estimated FY13 annual revenues, for historic resources purposes under the Community Preservation Act, the sum of Twenty Five Thousand Dollars (**\$25,000**) to be expended under the direction of the Parks and Cemetery Superintendent with the assistance of the South Williamstown historical committee for the preservation of historic gravestones at Southlawn Cemetery, or take any other action in relation thereto.

**The Community Preservation Committee by a vote of 6-2 recommends the adoption of this article.**

**The Finance Committee recommends the adoption of this article by a vote of 8-0-1.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*Proceeding: The Chairman of the Community Preservation Committee moved, and it was seconded, the Town will vote to appropriate from the Community Preservation Fund estimated FY13 annual revenues, for historic resources purposes under the Community Preservation Act, the sum of Twenty Five Thousand Dollars (\$25,000) to be expended under the direction of the Parks and Cemetery Superintendent with the assistance of the South Williamstown historical committee for the preservation of historic gravestones at Southlawn Cemetery.*

*Regina Rouse was lauded for her proponent work on the Southlawn Cemetery grave preservation projects.*

*There being no discussion, the Moderator declared Article 25 carried by unanimous voice vote*

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## COMMUNITY PRESERVATION – HISTORIC PRESERVATION

**Article 26.** To see if the Town will vote to appropriate from the Community Preservation Fund estimated FY13 annual revenues, for historic resources purposes under the Community Preservation Act, the sum of Four Thousand Dollars (**\$4,000**) to be expended under the direction of the Parks and Cemetery Superintendent for the preservation of the 1753 House located at Field Park, or take any other action in relation thereto.

**The Community Preservation Committee by a vote of 5-2-1 recommends the adoption of this article.**

**The Finance Committee unanimously recommends the adoption of this article.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*Proceeding: The Chairman of the Community Preservation Committee moved, and it was seconded, the Town vote to appropriate from the Community Preservation Fund estimated annual revenues, for historic resources purposes under the Community Preservation Act, the sum of Four Thousand (\$4,000) to be*

*expended under the direction of the Parks and Cemetery Superintendent for the preservation of the 1753 House located at Field Park.*

*There being no discussion, the Moderator declared Article 26 carried by unanimous voice vote.*

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## COMMUNITY PRESERVATION – COMMUNITY HOUSING

**Article 27.** To see if the Town will vote to appropriate from the Community Preservation Fund estimated FY13 annual revenues, for community housing purposes under the Community Preservation Act, the sum of Fifty Four Thousand Five Hundred Dollars (**\$54,500**), and to transfer and appropriate from funds previously reserved for community housing the sum of Fifty Three Thousand Dollars (**\$53,000**), to be expended under the direction of the Affordable Housing Committee appointed by the Board of Selectmen for the purpose creating community housing, or take any other action in relation thereto.

**The Community Preservation Committee by a vote of 7-0-1 recommends the adoption of this article.**

**The Finance Committee unanimously recommends the adoption of this article.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*Proceeding: The Chairman of the Community Preservation Committee moved, and it was seconded, the Town vote to appropriate from the Community Preservation Fund estimated FY13 annual revenues, for community housing purposes under the Community Preservation Act, the sum of Fifty Four Thousand Five Hundred Dollars (\$54,500), and to transfer and appropriate from funds previously reserved for community housing the sum of Fifty Three Thousand Dollars (\$53,000), to be expended under the direction of the Affordable Housing Committee appointed by the Board of Selectmen for the purpose creating community housing.*

*There being no discussion, the Moderator declared Article 27 carried by unanimous voice vote.*

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## COMMUNITY PRESERVATION – COMMUNITY HOUSING

**Article 28.** To see if the Town will vote to appropriate from the Community Preservation Fund estimated FY13 annual revenues, for community housing purposes under the Community Preservation Act, the sum of Eighty Thousand Dollars (**\$80,000**) to fund a grant to Berkshire Housing Development Corporation for the purpose of creating community housing at 118 Church Street, a/k/a Proprietors Fields, as shown on Assessors Parcel 119-145, and to authorize the Board of Selectmen to enter into a grant agreement with Williamstown Elderly Housing Corporation and Berkshire Housing Development Corporation outlining the purposes for and the conditions upon which these funds may be expended, and to authorize the Board of Selectmen or its designees to accept one or more deed restrictions on said property meeting the requirements of G. L. c. 184, § 31, or take any other action in relation thereto.

**The Community Preservation Committee by a vote of 7-0-1 recommends the adoption of this article.**

**The Finance Committee unanimously recommends the adoption of this article.**

**The Board of Selectmen unanimously recommends the adoption of this article.**

*Proceeding: The Chairman of the Community Preservation moved, and it was seconded, the Town will vote to appropriate from the Community Preservation Fund estimated FY13 annual revenues, for community housing purposes under the Community Preservation Act, the sum of Eighty Thousand Dollars (\$80,000) to fund a grant to Berkshire Housing Development Corporation for the purpose of creating community housing at 118 Church Street, a/k/a Proprietors Fields, as shown on Assessors Parcel 119-145, and to authorize the Board of Selectmen to*



*enter into a grant agreement with Williamstown Elderly Housing Corporation and Berkshire Housing Development Corporation outlining the purposes for and the conditions upon which these funds may be expended, and to authorize the Board of Selectmen or its designees to accept one or more deed restrictions on said property meeting the requirements of G. L. c. 184, § 31.*

*Cathy Yamamoto, stated the Affordable Housing Committee endorses the adoption of this article.*

*There being no further discussion, the Moderator declared Article 28 carried by unanimous voice vote.*

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## **AGGREGATION OF CONSUMER ELECTRICAL LOAD**

**Article 29.** To see if the Town of Williamstown will vote to authorize the Board of Selectmen to initiate the process to aggregate the electrical load of interested electrical consumers within the town’s boundaries pursuant to G.L. c. 164, S. 134, or take any other action in relation thereto.

*This article authorizes the Board of Selectmen to solicit and contract for the supply of electricity on behalf of all consumers. It is an “opt out” proposition in which individual consumers are free to pursue their own preferred supplier.*

**The Board of Selectmen unanimously recommends the adoption of this article.**

*Proceeding: The Chairman of the Board of Selectmen moved, and it was seconded, the Town vote to I move to authorize the Board of Selectmen, pursuant to G.L. c.164, sec. 134, to initiate the process to aggregate the electric load of interested electricity consumers within the Town of Williamstown and to enter into agreements for services to facilitate the sale and purchase of electric energy and other related services for terms exceeding three years.*

*Following a short discussion, the Moderator declared Article 29 carried by majority voice vote.*

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## **ZONING BY LAW AMENDMENT**

### **ARTICLE 30**

**Amend § 70-7.1.D Dwelling Conversion by removing the existing and replacing with the following:**

**D. Second Dwelling Units**

- (1) Purpose. This section establishes standards to allow flexibility in designing alternative housing choices in Williamstown and to give purpose to previously underutilized agricultural buildings.
- (2) Dwelling Conversion. Where permitted the conversion of a one-family dwelling into a two-family dwelling must comply with the following:
  - (a) New construction shall be no larger than 900 square feet, gross floor area.
  - (b) Off-street parking requirements of §70-6.1 shall be met without addition of any parking spaces within a required yard.
  - (c) Pre Existing Nonconforming Single Family Dwellings.

[1] A nonconforming single family dwelling may be extended for the purpose of converting a single family dwelling to a two family dwelling by right, provided the extension complies with §70-4.3, Dimensional Schedule.

[2] A proposed extension not in compliance with §70-4.3 that does not increase the degree of nonconformity of the dwelling is permitted, provided the Board of Appeals grants a special permit following its determination that such extension would not be substantially more detrimental to the neighborhood than the existing dwelling, applying the criteria of § 70-8.4D.

- (d) Conversion is not permitted on lots that do not comply with §70-4.3, Dimensional Schedule.
- (e) No unenclosed stairs shall be located on any street facing side of a building.

(3) Detached Second Dwelling Units. Where permitted the Zoning Board of Appeals may issue a special permit authorizing the installation and use of a second dwelling unit in a new or existing detached structure on a lot containing a single family dwelling; provided that the following are complied with:

- (a) The second dwelling unit shall be no larger than 900 square feet, gross floor area, unless completely contained within the building area of a larger existing accessory structure.
- (b) An existing accessory building shall be eligible for conversion if it has been in existence for at least 10 years, or if it was in existence prior to the adoption of this provision.
- (c) A second dwelling unit, created by conversion or new construction, must comply with all requirements of, §70-4.3, Dimensional Schedule, and is not permitted on lots that do not comply with §70-4.3, Dimensional Schedule.
- (d) Off-street parking requirements of §70-6.1 shall be met without addition of any parking spaces within a required yard.
- (e) No unenclosed stairs shall be located on any street facing side of a building.
- (f) The Zoning Board of Appeals makes a determination that the second dwelling will be in compliance with the Special Permit criteria of §70-8.4.D and a finding that the second dwelling will not be substantially more detrimental to the neighborhood.

**Amend § 70-3.3 Use Regulation Schedule by removing the existing provision allowing conversion of a one family dwelling to a two family dwelling and replacing with the following three use categories:**

	RR1	RR2 RR3	GR1	GR2	LB	TB	VB	PB	LI
<b>(1) RESIDENTIAL USES</b>									
<i>Single -family dwelling</i>	Yes	Yes	Yes	Yes	No	No	No	No	No
<i>New two-family dwelling</i>	No	BA <sup>2</sup>	Yes	BA <sup>2</sup>	No	No	No	No	No
<i>Conversion of existing single family dwelling into two-family dwelling (See § 70-7.1D(2))</i>	No	Yes	Yes	Yes	No	No	Yes	No	No
<i>Creation of a detached Second Dwelling Unit by conversion of existing buildings (See § 70-7.1D(3))</i>	No	BA <sup>2</sup>	BA <sup>2</sup>	BA <sup>2</sup>	No	No	BA <sup>2</sup>	No	No
<i>Creation of a detached Second Dwelling Unit by new construction (See § 70-7.1D(3))</i>	No	BA <sup>2</sup>	BA <sup>2</sup>	BA <sup>2</sup>	No	No	BA <sup>2</sup>	No	No

**Amend § 70-4.2.D(2) Multiple Buildings, Single Family Dwellings by removing the existing and replacing with the following:**

(2) Single-family dwellings. Not more than one single-family dwelling shall be erected on a lot unless so authorized in a major residential development approved under § 70-7.1C, Major residential development, or authorized as a second dwelling unit approved under the restrictions of § 70-7.1.D, Second Dwelling Units.

*This article requires a 2/3 vote.*

**The Board of Selectmen by a vote of 4-1 recommends the adoption of this article.**

*Proceeding: Patrick Dunlavey, Chairman of the Planning Board moved, and it was seconded, the town vote to adopt Article 30.*

*Ann McCallum, a member of the Planning Board, delivered the favorable report of the Planning Board in support of the article.*

*Lawrence Wright, a member of the Zoning Board of Appeals, stated the ZBA is agreeable to the first half of the article, but not the second. He then offered the following amendment, which was seconded, "that section D(3) be deleted in its entirety, as well as the last two lines in the Use Regulation Schedule, "Creation of a detached Second Dwelling Unit by conversion of existing buildings (See §70-7.1D(3) and Creation of a detached Second Dwelling Unit by new construction (See § 70.7.1D(3))".*

*Following several comments by residents, a motion was made to "Call the question", which the Moderator declared carried by majority voice vote.*

*The Moderator declared the amendment carried by a vote of 193 in favor and 145 opposed.*

*A second amendment was made by Ann McCallum that in Section D(3) the words, .. "a new or" be deleted , and the word "an" be inserted so that the third sentence would read, "...dwelling unit in an existing detached...", also, that the following words be deleted in D(3)(c)..."created by conversion or new construction," and that the last box in the Use Regulation Schedule, "Creation of a detached Second dwelling Unit by new construction (See § 70-7.1.D(3) " be deleted.*

*Following a long discussion, a motion was made to, "call the question". The Moderator declared the motion carried by majority voice vote.*

*The Moderator then declared Article 30 carried by a standing vote of 280 yes and 60 opposed.*

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*At this point in the meeting, Moderator Mark Gold stated that he would step down on Article 31, 32 and 33 because he has spoken publically against the articles.*

*The Chairman of the Board of Selectmen moved, and it was seconded, that Stephen Pagnotta be appointed as Temporary Moderator for Article 31, 32, and 33.*

*There being no discussion, the motion was carried unanimously.*

*Mr. Pagnotta assumed the duties of Moderator.*

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## **ZONING BY LAW AMENDMENT**

### **ARTICLE 31**

The Cricket Creek Farm Nominee Trust, by its Trustee Sherwood Guernsey, respectfully proposes the following amendment to Chapter 70 of the Code of Williamstown (the "Williamstown By-Laws"):

**Amend § 70-3.3 A (2) Business Uses, to include an additional line item for “Weddings and Family Celebrations on Farms”, and to add a new section in Article VII, section 70-7.2 H, as follows:**

	RR1	RR2 RR3	GR1	GR2	LB	TB	VB	PB	LI
Weddings and Family Celebrations on Farms (See section 70-7.2 H)	No	BA	No	No	No	No	No	No	No

**Amend § 70-7.2 by adding a new section, (H), as follows:**

(H) Weddings and Family Celebrations on Farms.

Weddings and Family Celebrations on Farms (the “Events”), are allowed as indicated in section 70-3.3, Use Regulation Schedule. The purpose of this by-law is to provide an option to farms of sufficient size in order to promote the sustainability of farming, the enhancement of our community and the preservation of open space. Such Uses shall comply with the following:

The Events may only be held on farm property which qualifies as a farm as defined by the Right to Farm Bylaw, Chapter 46 Section 2 of the Code of the Town of Williamstown.

The side, front and back setbacks for the event must be no less than 100 feet.

There shall be no electronically amplified sound at events except between the hours of 10:00 a.m. and 11:00 pm

The maximum number of events per calendar year, per farm shall not exceed 6 events.

The Board of Appeals may approve such Events for a multi-year period of time, revocable subject to the applicant complying with the provisions of this section, and any other conditions established by the Board.

*This article requires a 2/3 vote.*

**The Board of Selectmen by unanimous vote does not recommend the adoption of this article.**

*Proceeding: Sherwood Guernsey moved, and it was seconded, the Town vote to adopt Article 31.*

*Patrick Dunlavey, Chairman of the Planning Board, delivered the favorable report of the Planning Board in support of the article.*

*Following several comments for and against the article, a motion was made to “call the question”. The Moderator declared the motion carried by majority voice vote.*

*The Moderator then declared Article 31 carried by a 2/3 majority voice vote.*

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**ZONING BY LAW AMENDMENT**

**ARTICLE 32**

The Cricket Creek Farm Nominee Trust, by its Trustee Sherwood Guernsey, respectfully proposes the following amendment to Chapter 70 of the Code of Williamstown (the “Williamstown By-Laws”):

**Amend § 70-3.3 A (2) Business Uses, to include an additional line item for “Small Concerts”, and to add a new section in Article VII, section 70-7.2 I, as follows:**

	RR1	RR2 RR3	GR1	GR2	LB	TB	VB	PB	LI
Small Concerts on Farms (See 70-7.2 I)	No	BA	No	No	No	No	No	No	No

**Amend § 70-7.2 by adding a new section, (I), as follows:**

**(I) Small Concerts**

Small Concerts on Farms are allowed as indicated in section 70-3.3, Use Regulation Schedule. The purpose of this by-law is to provide an option to farms of sufficient size in order to promote the sustainability of farming, the enhancement of our community and the preservation of open space. Such Uses shall comply with the following:

- (1) A Small Concert shall be defined as a concert at which no more than 40 guests attend.

Small Concerts may only be held on farm property which qualifies as a farm as defined by the Right to Farm Bylaw, Chapter 46 Section 2 of the Code of the Town of Williamstown.

If outdoor, a Small Concert must have a side, front and back setbacks for the event of no less than 100 feet.

No Small Concert shall be held before 10:00 am in the morning, or later than 9:30 pm. in the evening.

The Board of Appeals may approve such Small Concerts for a multi-year period of time, revocable subject to the applicant complying with the provisions of this section, and any other conditions established by the Board.

*This article requires a 2/3 vote.*

**The Board of Selectmen by unanimous vote does not recommend the adoption of this article.**

*Proceeding: Sherwood Guernsey moved, and it was seconded, the Town vote to adopt Article 32.*

*Patrick Dunlavey, Chairman of the Planning Board, delivered the favorable report of the Planning Board in support of the article.*

*A motion was made, and seconded, to “call the question”. The Moderator declared the motion carried by majority voice vote.*

*The Moderator then declared Article 32 carried by a 2/3 majority voice vote.*

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**ZONING BY LAW AMENDMENT**

**ARTICLE 33**  
**- ARTS USES -**

*-This Article has been drafted and proposed by Cricket Creek Farm Nominee Trust –*

**Amend § 70-3.3 A (4) Institutional Uses as follows;**

The Cricket Creek Farm Nominee Trust proposes that Chapter 70, Article III of the Williamstown By-Laws, captioned Use Regulations, be amended at § 70-3.3A (4) Institutional Uses, so that the existing use entitled “Dance or Music Studios” is amended to read as follows: “Creative or Physical Arts Studios and Classes<sup>1</sup>”.

<sup>1</sup> Creative or Physical Arts Studios and Classes shall include without limitation such uses as dance, music, exercise, yoga, craft or art.

*This article requires a 2/3 vote.*

**The Board of Selectmen unanimously recommends the adoption of this article.**

*Proceeding: Sherwood Guernsey moved, and it was seconded the Town vote to adopt Article 33.*

*Patrick Dunlavey, Chairman of the Planning Board, delivered the favorable report of the Planning Board in support of the article.*

*A motion was made, and seconded, to “call the question”. The Moderator declared the motion carried by majority voice vote.*

*The Moderator then declared Article 33 carried by a 2/3 majority voice vote.*

*Mr. Gold resumed his Moderator duties.*

*Adjournment: A motion was made, and seconded, to adjourn the 2012 Annual Town Meeting. There being no further discussion, the Moderator declared the 2012 Annual Town Meeting adjourned at 10:02 PM.*

And you are hereby directed to serve this Warrant by posting attested copies thereof in four or more public places, as well as the United States Post Office within the Town.

Hereof fail not and make return of this Warrant, with your doings to the Town Clerk on or before the time set for holding said meeting.

Thomas Sheldon, chairman

David Rempell, vice-chairman

Tom Costley

Jane B. Allen

Ronald Turbin

**Williamstown Board of Selectmen**

Berkshire, ss:

April 13, 2012

I hereby certify that I have posted attested copies of the above Warrant in four public places in the Town of Williamstown, and the Post Office at least seven days before said Annual Town Election and Town Meeting.

Paul E. Yarter, Constable

	<b><u>2012</u></b>	<b><u>2013</u></b>
<b>EXECUTIVE</b>		
Selectmen	\$6,707	\$6,793
Town Manager	\$219,957	\$223,062
Town Counsel	\$20,000	\$23,160
Emergency Management	\$1,885	\$25
	<u>\$248,549</u>	<u>\$253,040</u>
<b>ADMINISTRATION &amp; FINANCE</b>		
Insurance	\$102,350	\$102,350
Finance Committee	\$758	\$770
Town Accountant	\$223,849	\$197,263
Assessors	\$134,557	\$138,609
Finance Director/Treasurer-Collector	\$169,624	\$175,521
Data Processing	\$51,375	\$54,853
Town Clerk	\$79,287	\$79,100
Registrars of Voters	\$18,328	\$18,993
Employee Benefits	\$983,600	\$1,034,230
	<u>\$1,763,728</u>	<u>\$1,801,689</u>
<b>INSPECTION SERVICES</b>		
Building Inspector	\$280,497	\$282,800
Health Inspector	\$80,916	\$88,618
Conservation Commission	\$2,904	\$5,616
Planning Board	\$2,185	\$2,185
Zoning Board of Appeals	\$3,900	\$3,900
Historical Commission	\$500	\$500
Sealer of Weights	\$3,436	\$5,017
Dog Officer	\$27,612	\$19,335
	<u>\$401,950</u>	<u>\$407,970</u>
<b>PUBLIC SAFETY</b>		
Police Department	\$1,066,701	\$1,080,031
Dispatch Services	\$205,530	\$204,913
Forest Warden	\$6,025	\$6,169
	<u>\$1,278,256</u>	<u>\$1,291,114</u>
<b>PUBLIC WORKS</b>		
DPW Director	\$152,073	\$154,350
Highway Department	\$1,158,331	\$1,165,520
Snow and Ice	\$163,308	\$166,863
Parks and Cemetery	\$258,646	\$262,152
Facilities Management	\$192,897	\$182,592
Burbank Chapel	\$6,290	\$6,290
Recreation	\$11,178	\$11,280
Forestry Department	\$41,859	\$41,859
	<u>\$1,984,582</u>	<u>\$1,990,906</u>
<b>HUMAN SERVICES</b>		
Council on Aging	\$231,528	\$234,902
Veterans' Services	\$47,518	\$92,714
Library	\$482,373	\$495,036
Veterans' Graves & Holidays	\$3,090	\$3,090
	<u>\$764,509</u>	<u>\$825,742</u>